

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

Leon Hunt as Personal Representative of  
ESTATE OF JOHN PAUL O'NEAL,  
Deceased, BARBARA O'NEAL, and  
JEFFREY SHAYNE GOTREAUX,

Plaintiffs,

vs.

No. 1:18-cv-1077-KG-JFR

JUST IN TIME CARGO, INC., a California  
Corporation, Individually and d/b/a JITC, and  
LUCAS RICHARD FODOR, an Individual, and  
JAMES YARROW, GLOBAL MAIL, INC.,  
DEUTSHCE POST DHL and DHL  
INTERNATIONAL GmbH,

Defendants.

ORDER SETTING MOTION HEARING

This matter is before the Court on Defendant James Yarrow's Motion for Summary Judgment (Doc. 171). Mr. Yarrow asks this Court to "dismiss all counts asserted against him in Plaintiff's First Amended Complaint to Recover Damages for Wrongful Death, and Other Damages Under the New Mexico Wrongful Death Act [Doc. 68]." The referenced complaint, (Doc. 68), however, was filed by Personal Representative D. Maria Schmidt in a consolidated case which has since been dismissed in its entirety. (Docs. 156, 158). Remaining Plaintiffs have not timely responded to the Motion.

The Court hereby sets a telephonic hearing on the Motion on **June 15, 2022, at 11:30 am**. Please dial 1-888-398-2342, using access code 9614892.

At the hearing, the parties shall address why the Court should not construe the pendent Motion for Summary Judgment as applying to the operative complaint, (Doc. 47), rather than the dismissed complaint, (Doc. 68).

IT IS SO ORDERED.

  
UNITED STATES DISTRICT JUDGE